

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

CORNELIUS HILL	:	
and	:	
TRUDIE HASTINGS HILL H/W	:	
Plaintiffs	:	
v.	:	
Schiffahrtsgesellschaft MS Priwall	:	No. 02-CV-2713
mbH & Co. KG	:	
and	:	
Reederei F. Laeisz G.m.b.h.,	:	
Rostock	:	
Defendants	:	

ORDER

AND NOW THIS, day of 2004,

upon consideration of Defendant's Motion for Reconsideration and
Plaintiffs' opposition thereto, it is hereby **ORDERED** that
Defendant's Motion is **DENIED** in all respects.

Michael Baylson J.

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

CORNELIUS HILL	:	
and	:	
TRUDIE HASTINGS HILL H/W	:	
Plaintiffs	:	
v.	:	
Schiffahrtsgesellschaft MS Priwall	:	No. 02-CV-2713
mbH & Co. KG	:	
and	:	
Reederei F. Laeisz G.m.b.h.,	:	
Rostock	:	
Defendants	:	

Plaintiff's Reply to Defendant's Motion for Reconsideration

Plaintiffs, Cornelius and Trudie Hastings Hill, respectfully
reply to Defendant's Motion for Summary Judgment as follows:

1. Admitted.
2. Denied. The Court's carefully considered and
thoughtful opinion was not incorrect and should not be
reconsidered.
8. Denied. Defendant sets forth no facts which would
justify a certification under 28 U.S.C. §1291(b). An appeal
would result in an affirmance and would simply delay a trial,
which would be manifestly unfair to Plaintiffs.

Discussion

Defendant repeatedly states that the Court's reasoning represents an "unwarranted and unprecedented" extension or application of the law, etc. This statement was repeated frequently in the Mankus case, and Judge Yohn ignored it.

Similarly, Defendant threatens the Court with an appeal, and this threat was also made in Mankus and ignored by Judge Yohn.

Finally, Defendant repeatedly argues that there was no evidence to support one thing or another in the Court's opinion. This was also argued in Mankus, and Judge Yohn ignored it.

This Court's carefully reasoned opinion was correct and will be affirmed if an appeal is ever taken. There is nothing in Defendant's Motion for Reconsideration which should persuade the Court to reconsider its opinion, so Defendant's Motion should be denied.

Finally, Defendant gives no reason to justify a certification under 28 U.S.C. §1291(b), so that should also be denied.

Conclusion

For the foregoing reasons Plaintiffs submit that Defendant's Motion should be denied in every respect.

Respectfully,

E. Alfred Smith
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has, on this date, caused a true and correct copy of Plaintiffs' Reply to Defendant's Motion for Reconsideration to be served by first class mail, postage prepaid, on the date listed below upon the following party or counsel of record:

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Attorney for Plaintiffs
Cornelius Hill and Trudie Hastings
Hill

Date: